IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 960 of 2007()

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CRIME NO.11/07 OF HARBOUR POLICE STATION

: PETITIONER/ACCUSED:

RAYA MARAKKAR VEETIL OORILAPPARAMBIL
KOYA, AGED 56 YEARS, VIII/117, R.O.HOUSE,
ORUMANAYOOR, TRICHUR DISTRICT.

BY ADV. SRI.K.RAMAKUMAR
SRI.T.RAMPRASAD UNNI
SRI.A.SAMEER

RESPONDENTS: STATE & COMPLAINANT:

1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE STATION HOUSE OFFICER,
HARBOUR POLICE STATION,
ERNAKULAM.

BY SHRI P.G.THAMPI DGP FOR R1.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/02/2007, ALONG WITH BA.1021/07 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NOs.960/07 & 1021/07

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DATED THIS THE 21st DAY OF FEBRUARY, 2007

O R D E R

The common petitioner in these two applications for regular bail is an accused in OR.SIIIB 2/07 of Customs House, Cochin for an offence punishable under section 135(1)(a) and (b) of the Customs Act for the alleged contravention of section 111 of the Customs Act, 1962. 47 air pistols and 37 rifles are alleged to have been recovered from the consignment of which the petitioner was the importer. With regard to the same occurrence, the Harbour Police has registered Crime No.11/07 for an offence punishable under section 25(1)(a) of the Arms Act, 1959 read with section 34 IPC. The petitioner was arrested on 14.1.2007. Admittedly, the petitioner has been interrogated both by the Customs officials as well as the Police with regard to the occurrence.

2. Shri P.G.Thampi, the learned Director General of Prosecutions, and Shri P.C.IPe, the Special Prosecutor for Customs submitted that since the investigation of the case has substantially progressed, the petitioner could be granted bail on conditions safeguarding the interest of the prosecution as well. Accordingly, the petitioner is directed to be released on bail, on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like amount to the satisfaction of the Additional C.J.M.(Economic Offences), Ernakulam and subject to the following conditions:

1. The petitioner shall report before the Superintendent of Customs, Special Intelligence and Investigation Branch, Kochi, between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

5. The passport of the petitioner which is alleged to be in the custody of the Customs officials shall be forwarded to the Addl.C.J.M.(E.O.), Ernakulam for safe custody.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn